

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

JENNIFER A. LANG,

Plaintiff,

vs.

MILWAUKEE COUNTY, RODNEY
MAYBIN and PAULA LUCEY

Defendants.

Case No. 2:15-cv-01004-LA

JOINT RULE 26(f) CONFERENCE REPORT

Plaintiff Jennifer Lang and Defendants Milwaukee County, Rodney Maybin and Paula Lucey (collectively, "Defendants"), by their undersigned attorneys, hereby submit the following Joint Rule 26(f) Conference Report pursuant to this Court's October 21, 2015 Notice of Hearing.

Contact Information for December 10, 2015 Scheduling Conference

1. Plaintiff's counsel, Peter Fox, may be reached at 414-326-3260.
2. Defendants' counsel, Oyvind Wistrom, may be reached at 414-273-3910.

Nature of the Case

Plaintiff initiated this action under Title VII and 42 U.S.C. § 1983 and the Equal Protection Clause of the U.S. Constitution against Defendants, alleging unlawful sexual harassment, discrimination and retaliation committed against her during her employment with Milwaukee County. Defendants deny the allegations.

Possibility of Prompt Resolution

The parties agree to continue to look for opportunities to engage in meaningful settlement discussions.

Discovery Plan

1. **Initial Disclosures**: The parties agree to exchange initial disclosures consistent with the requirements of Rule 26(a)(1) no later than Wednesday, December 23, 2015.

2. **Scope of Discovery**: The parties agree that the subjects of discovery shall include all issues related to liability and damages. The parties anticipate that discovery may include written interrogatories, requests for the production of documents, requests for admissions, and depositions of lay and expert witnesses, all consistent with the limits and requirements set forth under the Federal Rules of Civil Procedure. The parties agree that those discovery limitations set forth in the F.R.C.P. and Civil Local Rules 26, 33, 34, 36, and 37 shall apply in this matter in the absence of further order by the court

3. **Completion of Discovery**: The parties agree that discovery should be completed by August 31, 2016.

4. **Expert Witnesses**: The parties agree that, in the event expert witnesses are needed, and in accordance with Rule 26, Plaintiff will disclose any experts and provide reports by March 15, 2016, and Defendant will disclose any experts and provide reports by April 15, 2016.

5. **Electronically Stored Information ("ESI")**: The parties anticipate that there will be discovery related to ESI, including e-mail communications and other

electronic data files. The parties will work cooperatively to determine the most efficient manner to produce requests for such records and anticipate that the much of the contemplated ESI will allow for the production of hard copies of the documents or electronic copies provided in jump drives or similar hardware. However, both parties specifically reserve the right to request the production of specific documents in native format, and the parties agree that these requests will be granted, absent a showing by the party providing the documents that doing so will present an undue burden or cost.

6. **Preserving Discoverable Information:** The parties agree to make any and all necessary efforts to preserve all discoverable information.

7. **Contemplated Motions:** Both parties contemplate the filing of summary judgment motions on one or more issues involved in the case.

8. **Simplification of Issues:** The parties will work cooperatively to simplify the issues, where appropriate.

9. **Admission and/or Stipulations:** The parties will work cooperatively to make those appropriate stipulations regarding authenticity of documents and stipulations of fact in order to avoid unnecessary proof.

10. **Advance Rulings from the Court:** The parties will attempt to expeditiously bring to the Court's attention any issues relating to the admissibility of evidence on which an advance ruling would be helpful.

11. **Limitation of Testimony Under Rule 702:** At this time, the parties are not aware of the need to limit the use of testimony under Rule 702, F.R.C.P.

12. **Additional Parties:** At this time, the parties are not aware of the need to add any additional parties to this proceeding.

13. **Amendment of the Pleadings:** At this time, the parties are not aware of the need to make any additional amendments to the pleadings, but do request that the Court allow a period of time in which to make amendments without requesting leave of Court to do so.

14. **Length of Trial:** The parties believe that this case can be tried in five days with the trial time divided equally between the plaintiff and the defendant.

15. **Protective Order:** If appropriate, the parties will promptly seek from the Court the entry of a Protective Order governing confidential information, in a form to be agreed upon by the parties.

16. **Discovery or Case Management Orders the Court Should Issue:**
The parties propose the following schedule of deadlines:

<u>Event</u>	<u>Deadline</u>
Amending Pleadings/Joining Additional Parties	January 29, 2016
Plaintiff's Expert Disclosure and Reports	March 15, 2016
Defendant's Expert Disclosure and Reports	April 15, 2016
Close of Discovery	August 31, 2016
Dispositive Motions	September 30, 2016
Trial	To Be Determined ¹

Respectfully submitted,

¹ The parties anticipate filing dispositive motions and request that the Court wait to set a trial date until after such motions are resolved, if a trial date is then necessary.

FOX & FOX, S.C.

Attorneys for Plaintiff

s/ Peter J. Fox

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Dated: November 12, 2015

LINDNER & MARSACK, S.C.

s/Oyvind Wistrom

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Dated: November 12, 2015